DR. BRIGGS MUST GO

The Assembly Sustains the Specifications of Error

BY AN OVERWHELMING VOTE

The Briggs Men Were Beaten From the Start and Gave Up Hope, Bome Semational Speeches.

Washington, May 31.—The appeal of the presecution from the verdict of the New York presbytery acquitting Dr. Briggs of the charges against him has been sustained by the general assembly. the vote being as follows: Number of votes cust 400; to sustain the appeal, 28; to sustain in part, Sic total to sustain 383; not to sustain, 116. r Upon resuming business at 2:30 year

terday afternoon the call of the roll of the assembly was continued. Each delegate, as his name was reached, made a brief explanation of his vote. Prof. John. D. Dugffeld, of Princeton college contended that the assembly must deal with Professor Briggs, of Union seminary, precisely as it would deal with John Smith of Zacatecas; it was not a personal question. Every man, he will was under an obligation to preserve the purity of the church. No critic, higher or lower, could determine what person of the hible was the word. of God. Dr. Briggs had supporters in old supils of his, graduates of Union

Seminary and others.
Elder Thomas McDongall of Cincinpati precipitated a lively new upon the floor, unequalled in the course of the trial except when Dr. Briggs challenged the truthfulness of a statement made by Dr. Dudiell Mr. McDougali is an earest, even radical opponent of Dr. Briggs and speaks with an incisive ag-gressiveness that easily evoluse antagonism. "If it be in order," he because in a Preshyterian assembly in this high court. I would like to ask if the omnomine, the veracity, the chareter of God Almighty, of the Lord Joses Christ may be questioned? God Almighty has said that Isaiah said thus Dr. Briggs has said to God Al nighty that Isaiah did not write half the book that bears his name. The Lord Jesus Christ said in the New Testument that Issiah wrote the book bearing his name. Dr. Briggs says:

Dr. Stores Objects.

Dr. Henry M. Storrs Mr. Moderator. I call the gentleman to order. Only man is entitled to be defended against attacks upon his character. Did Dr. Briggs sav any such thing?

McDongall Why, Dr. Storrs, you The Rev. H. Milton Shields of New Mexico for the statement quoted in Dr. Briggs' inaugural? If not it is not be-

This colleges was carried on in the midst of great confusion, cries of "order" rising from all parts of the house, and the moderator and Mr. McDongall both raing to be beard. Dr. Craig said that Mr. McThaigall would show or try to show that his statement was justifiable.
Mr. McDongall (to Mr. Shields - H De. Briggs will withdraw his statement

Dr. Storrs But Mr. McDougall save that Dr. Briggs said God was untruthful, which is blaspheory, and unpardon-

Mr. McDougall -I said that God said I sough said that thus and so, and that in the New Testament the Lord Jesus brist said Isainh said tivus and so; and Dr. Briggs said that Issiah did not write that part of the book in which these

quotations are found, Ehler Shepard of North Philadelphia presbyters, vigorously protested against the utterances and conduct of Mr. Mc. Dangall, but Elder Parnell of Baltimore pleaded for fair treatment for the

McDongall Concludes.

Eider McDongall, the storm having then measurably calmed down, con-cluded. Christ said no man can come unto the father but me. Dr. Briggs save that Martineau found God through the reason that no man found him through the church. Who will you behere. Christ or Dr. Briggs? An excession of half an hour to the

afternoon session enabled the clerk to until temperow morning. progress in the roll through the arnoll of Overon. At 5:00 five assembly took

The call of the coll was resumed at They Denounce Sin Generally and the beginning of the evening session. When the Rev. Dr. Charles A. Dickey of Philipholphia series there was Maytter of amendment, interest, for De Dickey is genealered one of the strong men of the assembly. He said he would vote to sestain the first. motions, third and fourth grounds of the appeal because he proposed to set their fore at searce. He would note to sustain in part the fifth ground of appeal because he considered the finding of New York presbytary as not sufficient to meet the ethernoise of the case. He found himself apposed to Dr. Briggs on two points, one of which was the defence of with which he was not quite satisfied.

Dr. Dinkey in origination, urged the assemble to give Dr. Briggs a chance, and he ampealed that the latter might be allowed to give a full, free declaration of

Sustained the First Question. It was l'aboliock when the question was put by the moderator. 'Shall this specification of error be sustained?"

agon a viva vice vote he declared it

"Division," went up from the Briggs Gorman Lutherans Pondering Over uwn. All the monters rose and the moderator in his usual terse way called out "sustained." A great shout of "count count," rose from all parts of the clurch, and the moderator circles to make the count The appointmention was deciared to be sustained by a vote of 292 to 100. This vote showed that the attractance was seventy seven less than the number in athendance when the role was taken on

Friday on sustaining the appeal. clustre entire the first greend of appeal, all relating to igregularities in the proceedings of the New York presty and some meraly by visa voca, or rising

the receiving of triproper testimony and | and delegates. was hand upon their specifications. They set up that the midendant should have been sincer; ever the state day address at Office.

ments and matter interpolated by permitted to remain; quotations and extracts offered by the defendant were received as evidence without their hav-ing been sworn. On the first specifica-tion division was taken, the result being that the specification was sustained, 372 to 185. The others were sustained by VIVA Voce votes.

The Third Ground.

The third ground of appeal alleged manifestations of prejudice in the conduct of the case and of its six specifications, the Briggs men carried two and came within two rotes of carand came within two rotes of carrying another. On the first specification which alleged that the Reva. George Alexander Antonio Arreghi, Henry M. Field, Thomas S. Hastings and Henry Van Dyke made prejudiced statements on the floor and afterward voted in the presbytery not to sustain each and every one of the specifications and charges. A viva voce yote was taken only, and the moderator vote was taken only, and the moderator declared the specification lost. There was some attempt of applause when was quickly queiled. Specifications second, third and fourth, alieging that the presbytery did not try the case on its merits, attempted to terminate it without attaining the ends of discipline and evaded the issue were sustained by

Specification fifth, alleging that the flevs. Francis Brown, Henry M. Field, Thomas Hastings, J. Hall McIlvane and Henry I. VanDyke, members of the preabytery, voted to sustain the accused after they had been charged in the ap-peal with prejudice, was lost by a viva

Specification sixth alleged that sun-dry directors, officers and professors of Union Theological seminary, namely, the Revs. Francis Brown, Edward I. Clark Charles R. Gillett, Thomas S. Hastings, J. Hall Mclivane, Phillip Schoff, W. A. Smith, A. R. Vincent and William Wheeler, voted to acquit the accused upon every specifi-cation and charge after they had approved of Dr. Brigge inaugural address, which contained the doctrines for holding and publishing of which the accused was there on trial. A viva voce vote was followed by a count and the cierk announced that it stood 235 to 234, but suggested that another count be taken on account of the closeness of the vote. There were cries of "no," however, and the clerk proceeded to read the fifth ground of appeal.

Voting on the Appeal.

The fifth and last ground of appeal contained "specifications of error" charged 'mietake or injustice in the de-cision.' The specifications charged fail-ure to convict the defendant on competent charges, the facts being admitted by the defendant; that the judgment was not warranted by the law and evidence, and that the judgment is in fact an approval of the views embod led in the inaugural address; that the judgment is vague, unjust and mis-leading; that the presbytery was moved by unsworn and improper testimony; that the judgement is contradictory in form and fact. The votes on these specifications were taken without a division, resulting in a declaration that each and every one had been sustained. This part of the proceedings having been disposed of the Rev. W. C. Young of Kentucky moved that the roll be called and the ascembly vote upon the main question. Shall the appeal be sus-tained? which was adopted lie de which was adopted lie-beginning the roll call the moderator announced that the form of answer would be "sustained" or "not sustained," and that committees might vote to "sustain in part," but that such" votes would be counted as part of the total to sustain the appeal.

Announcing the Vote. The roll was then called in the midst of an almost painful stillness, the spectators in the gallery rising to their feet in their anxiety to catch every response. The vote was announced at 10:15 by the stated clerk as: "Whole number of votes cast, 499; to sustain the appeal, 28; to sustain in part, 85; total to sustain the appeal, 383; not to sustain, 116, e result had been announced the Rev. J. W. Smith of Baltimore moved the appointment of a committee of fifcommissioners, of which the Thomas A. Hoyt, D. D., Pennsylvania shall be chair man, to bring in an explanatory minute. This was carried, and on motion of President Warfield of Lafayette college, the moderator was authorized to appoint the committee. He will announce the committee tomorrow. The assembly then adjourned at 10:25 p. m.

UNITED PRESBYTERIANS.

Specifically and Then Adjourn. MONMOCTH, Ill., May 31.-The United Prosby terian general assembly a fourned a conclave, to meet next year at Albany, Oregon, in August. The committee on ministerial realef reported an endowment fund of \$100,000 on hand. Its distribution went over to the cent assembly. Two Callformis appeal cases were passed. The board of education reported distribution of \$18,500 to the logical students. Future beneficiaries will be required to abstain from the use of tobacco. Appropriawere made. Resolutions urging the overthrow of the liquor traffic by the elective frauchise were adopted; also urging christmas to patronice only such papers as are friendly to the Sabbath and christian reform. The committee on statistics reported eleven synois. sixty-two preabyteries, 2005 ministers. 505 congregations; \$1,400,000 contributions for the year. The committee to the world's temperance congress at Chi-cago, June 5, was instructed to serve if the gates of the fair are eleged on Sun-

DISCUSSING THE CATECRISM

the Committee's Doctrinal Version.

Carron, Ohio, May 31 .- The Lutheran synod during consideration of the report of the educational committee specially secondary at Oppaha, Nebraska. quest from the German theological seminary for an annual appropriation of \$1,000 was favorably received. The cat schism question came up and was discussed until adjournment. The doctrinal remon of the conformin offered by the committee states that "he who con feater sinning shall receive firegiveness from the paster and from God himself by more accetained, assess by tally and some opposed this, claiming it would be a doctrine symmetric with that of the Cathelic church. Tonight local Lather the second ground of appeal allegat erans banquetted the risiting divines

Coverner Rich, made the Memorial

WON BY HOME RULE

Significant Ballot On an Unfavorable Amendment.

CLEAR MAJORITY OF 52 VOTES.

ber of the Royal Family in Office in Ireland.

LONDON, May 31 .- In the house of commons today Viscount Wolmer, lib eral unionist, moved as an amendment to the home rule bill that the Irish legislature should not be empowered to grants votes in supply respecting mat ters upon which they were forbidden to legislate. The amendment was rejected by a vote of 240 to 188.

General Goldsworthy, conservative, moved as an amendment to the bill to abolish the office of viceroy for Ireland and substitute a secretary of state. General Goldsworthy said that he hoped to see members of the British royal family residing in Ireland.

Prime Minister Gladstone said that he concurred in the hope, but nevertheless it was impossible to accept the proposed amendment.

DON'T LIKE NORDHOFF.

The Hawalian Government After the New York Herald's Correspondent.

Sax Francisco, May 31.-Ex-United States Minister Stevens arrived on the steamer Australia from Hawaii this morning. Advices from Hono-iniu say that there is much excite-ment there over the arrest of Messrs. Bush and Kenyon, editors of native papers, on the charge of libeling the provisional government and Minister Stevens, and the attempt of the provisional government to silence Charles Nordhoff, correspondent of the New York Herald, and Minister Blount's interference in his behalf.

On the evening of the 22d, Charles Nordhoff, correspondent for the New York Herald, was cited to appear before the councils of the government to ex-plain why he had published in the Her-ald the false charge that a majority of the members of those councils had signed the lottery petitions, whereas not a single one of the present members had done so. Minister Blount interposed his protection and notified President Dole that the United States did not permit its citizens abroad to be called to ac-count for libels published in another country, citing the noted case of Cutting in Mexico. Nordhoff had also been served on the 23d under the law for libel, with a demand of an apology for having represented in the Herald that President Dole and Minister Stevens had quite recently combined in a con-spiracy to extort from the ex-queen a rmal abdication, a statement without foundation. Another editor of a native paper in the person of G. C. Kenyon has been arrested for criminal libel in having charged United States Minister Stevens with conspiracy and robbery. Ken yon's article accused Stephens of at tempting to steal the island and charac terized the action of raising the United States flag as that of a robber chief.

Ex-Minister Stevens was besieged by newspaper men on coming ashere. expressed satisfaction at being again on American soil, but asked to be excused from expressing himself in detail on the Hawaiian situation. He believed that the Sandwich islands should be part of the United States on account of their advantage as strategic points. Mr Stevens will be here two or three days before starting cast. He has been in-vited to address the chamber of commerce tomorrow afternoon when he will probably make a statement of his views.

Russell's Argument Completed. Pauls, May 31. Sir Charles Russell concluded his argument in behalf of the British case before the Hehring sea tribunal today. He said that this was the first occasion upon which a nation had claimed property in a free swimming animal. The contention, Sir Charles declared, was untenable and its advancement was decogatory to the principle of freedom of the seas.

Cardinals for France.

Pants, May 31.—The pope is reported to have agreed to nominate for the cardinalate at the consistory on June 19 Archhishop Leot of Bordeaux and the bishop of Rodez. The pope was urged by the church in France to take this step in view of the numerical weakness of the French cardinals in the event of

Monarchs Will Meet.

VIESSA, May 31.- It is ennounced semi-officially that the prince of Napies, crown prince of Italy, the king of Sar-ony and Emperor William will assist Emperor Franz Joseph at the Hungarian maneuvers next September. They will be entertained by Franz Joseph in Buda Pesth.

Quartatine Against Cholera Mannin, May 31. The Spanish gov. ernment has declared five days' quaran tipe against all vessels arriving from ette and Hamburg. Spanish consuls in France report that cholera prevails in Cette, a Mediterranean port. Several cases have ended fatally.

SATOLLI IN CHICAGO. The Distinguished Legate of the

Roman Pontiff Arrived Yesterday. Curcaco, May 31.-Mgr. Satolli, the delegate in the United States of Pope Leo XIII arrived in Chicago at neon today and will semain here until June During his sejourn in Chicago Mgr. Satolli will be the guest of Father Thomas Morescheim at the Church of he Assumption, on Illinois street near The direct object of Myr. Satult's visa; a Chicego at this time is to arouse religious torvor among the

tions and Italian speaking priests, have become careless in regard to their re-Incidentally the papel delegate will. it is rumored, investigate certain mat-ters connected with the administration of the arch-discove of Chicago. Promi nent western prelates and hymen standing high in the church will meet him. Among these will be Archbishop Ireland of 51. Paul, and it is whispered in catho in circles that before Mar Satolii isawa. Courage there will be a semi-official an-

eatholic Italians of the city many of

whom for west of church accommoda-

pleased to express in a special and marked way his esteem for his grace of St. Paul.

JEFF IN HIS GRAVE

SPECTATORIUM GOES UNDER.

MacKaye's Great Scheme Results in a Dissessous Failure.

Checaso, May 81.—Judge Tuley to-day appointed the Chicago Title and Trust company receiver for the Colum-bia Celebration company, to take pos-session of the concern and wind up its affairs. This was done on application of Street MacKaye. The Cerebration company was organized for the purpose of erecting the big steel and staff "spec-torium" that at present stands unfinof erecting the big steel and staff "spec-torium" that at present stands unfin-ished at the north end of the exposition ground. It was to be used for the pre-sentation of a spectacular play entitled "The World-Finder," and was to cost

The failure of the Spectatorium com pany, if it is complete, concludes one of the most elaborate of the many amuse-ment enterprises projected in connec-tion with the world's fair. The author of the scheme is well known as an old-time theatrical man, and it was sup-posed that the delayed building and show were soon to be ready.

SHE SAW "THE FINEST.".

Eulalia Reviews New York's Great Police Force.

New York, May 31. - The Infants Eulalia and Prince Antonio this afternoon saw of what material the great metropolitan police force is composed of. Twenty-live hundred bluecoats, under command of Superintendent Byrnes, in command of Superintendent Byrnes, in polished helmets, dress uniforms and white gloves, marched past a reviewing stand in Madison square erected for the use of the royal party during the parade. The line of march was from the Battery up Broadway to Twenty third street, thence to Forty-first street and Fifth avenue and past the reviewers. Mayor Gilroy and other city officials were present with the infants. There were six battalions, mounted and on foot. The princess was greatly pleased foot. The princess was greatly pleased at the fine display the men made.

Wilhelm May Visit the Fair.

Washington, May 31.—Dr. Von Holle-ben, the German minister, will leave next week on a short trip to Germany. He expects to be gone about four weeks, and it is possible that on his return he will have the honor of accompanying Emperor William to this country. It was reported here today that word had been received from Berlin to the effect that the emperor intends to visit the world's fair immediately after the com-ing session of the reichstag.

Railway Accountants Meet. Chicago, May 31.—The annual meeting of the American Association of Failway Accountants was held at the auditorium today. Officers for the ensuing year were elected as follows: President, P. Leland, suditor Lake Shore & Michigan Southern; vice presidents, G. L. Lamsing, controller Southern Pacific, and George M. Taylor; auditor freight department. Pennsylvania company; secretary, C. J. Phillips, and Messes. Robinson, Kochesperger and Jollett ad-ditional members of the executive com-

Monterey Is a Snecess. SAN FRANCISCO, May 31.—The trial trip of the new battle ship Monterey was a success in every way, her boilers and guns standing the tests admirably The Scotch boilers were tested alone and in conjunction with the Ward boil ers, and worked without any hitch. The action of the big guns was all that could be desired. The government board will report favorably and the remaining 5,000 held out by the navy department will be paid to the contractors.

Blue Grass Editors Meet.

CHICAGO, May 31.—This morning at 10 o'clock the doors of the Kentucky state building at Jackson Park were thrown open to the Kentucky Press as sociation. Charles Meacham, president of the association, called the association, to order. Officers were elected for the coming year as follows: Samuel J. Roberts of the Lexington Leader, president; I. B. Nall of Louisville, vice president; Robert E. Morningstar of Bowling Green, necretary and treasurer.

Will Build a New Road.

Luta. Ohio, May 31.—Henry S. Ives, who is at the back of the Ohio Southern railroad, which is completing an extension to this city, will settle an old score with the Cincinnati, Hamilton & Day-ton road by building an extension of his road to Toiedo. The road will go through the same towns as the Cincin nati, framilton & Dayton, and will be a strong competitor of the road.

"Homeops" in Session.

Cricago, May 3i.—This afternoon the hone-epathists discussed ophthalmology and otogoly and the medico-climatology continued its work. At 2 o'cleck there was a reception in the art institute for the lady visitors and members of the one opathic congress, and this evening the eclectics and medico-climatologists had receptions.

Fink Appointed Receiver.

LITTLE ROCK, May 31.—Rudolph Fink, president of the Little Rock & Memphia road, was today appointed receiver for that corporation by Judge Williams in the United States circuit court. The application was made by New York parties, and was caused by the default in payment of interest due in March last on the \$3,250,050 bond issue.

Excursion Party From Berlin Categoo, May 31. The second excur-

sion party from Borlin arrived today Among those in the party were Count and Countess Pfell: Herr Berndt, director of the famous Pillsoer brewery, and M. Hermes of the Imperial printing

Will Reopen the Bank. INDIANAPOLIS, May 31. The formal

pertainsion of the comptroller of the cur rency to reopen the Capitol National bank of this city was received today. and the bank will be opened early next Miscellaneous Crop Report.

heavy greath; early potatoes, rve, gar den truck and bariey doing well; plant ing corn. Over 80,000 Paid Admissions.

WARRINGTON, May 31. The crop re-

port for Michigan says: Grass making

CHICAGO, May SI. The paid admis-

John Corey, a Michigan Central brahoman had an arm badly crushed sections that the pose has been while coupling cars at Zilwankee.

At Last the Old Traitor's Bones Are at Rest

IN VIRGINIA'S CHIEF CITY.

Flowers Strewn on His Coffin by Fair Hands ... Scenes Attending the Final Ceremonics of Interment.

RICHMOND, Va., May 31,-The Jeffer son Davis funeral train arrived here this morning. At the depot the first regiment and the veterans from Lee and Pickett camps were drawn up, while thousands of men, women and children testified the appreciation of the occasion by the most respectful silence. As the casket containing the body was removed to the hearse heads were uncovered. The procession proceeded with the visiting posts of the veterans from the various southern states to the state capital building, where the body was placed in state in the rotunda. Here it remained until 3 o'clock, and it is estimated that 25,000 people viewed the bier. During the hours set spart for the school children, 6,000 of these alone marched past and dropped floral offerings at the foot of the casket. At 3:30 o'clock the body was removed to the the line of march was taken up for Hollywood. Houses along the line were alblack and the national, state and con-federate flags were either floating to the breeze. The streets along the route, yards and windows of the dwelling were packed with the people. Nothing of the turnultous character marked, the day or program of the cortege, and the whole city ecemed to be in mourning.

In the procession first came Gen.

John B. Gerdon, chief marshal, and

staff of some fifty prominent confederate officers, then the infantry under Col. Henry Jones headed the line, and was followed by the artillery with three batteries, the Howitzers of Portsmouth and Norfolk light artillery blues, all un-der command of Maj. W. E. Simons. Four troops of cavalry followed, com-manded by Col. W. F. Wickham. They were the Stuart horse guards. Ashby light horse, Chesterfield and Albemarle troops. These were followed immediately by the catafalque, behind which came carriages, in which were seated Mrs. Jefferson Davis and Governor Mc-Kinney; Miss Winnie Davis and Mayor Ellison and Mr. and Mrs. Hayes. Women and children scattered flowers along the route in front of the catafalque, and the bells of the city tolled while the procession moved. A number of old confederate battle flags were borne in the procession, while a number of carriages were filled with flowers. At the grave the Stonewall band of Staun ton played a funeral dirge. The Rev. William Munford read a sejection of scripture, and the Rev. Dr. H. W. Landrum then read the hymn, "How Firm a Foundation." which was sung by the crowd. Dr. Hogo offered prayer. The Rev. Dr. C. S. Ear-ton of Norfolk pronounced the benedicthe grave. After the bugle signal came teps and the infantry fired a salute and the services were over. The ladies then decorated the graves of 16,000 confeder-

ate soldiers. BASED ON LEPROSY.

An Old Soldier Applies for a Pension on That Ground.

Washington, May 31.—Eased upon leprosy is the claim for a pension that has just been filed with the commissioner of pensions, according to an evening paper. The claimant whose name or number of whose claim is omitted for reasons apparent to all, served in the late war as a private in Company G. One Hundred and Seventy sixth regiment, New York volunteer infantry. Upon being discharged he moved to the Hawaiian isl ands, where he engaged in business. He was employed as a manager of a large plantation and while attending to his duties was bitten by a native leper, then, strange as it may seem, employed on the plantation. This took place July 4, 1877, on the island of Lahaiwa, one of the group. He was soon afterward taken to Molokai, where a colony of the lepers is maintained. He is now supported by the local government and s given regular allowances for his sub-

Under former rules he was not en titled to a pension, but when the act of June 27, 1800, which pensions veterans for disabilities incurred, regardless of being in the service at the time, went into effect, he immediately forwarded an application.

NEGOTIATING A LOAN.

The Whisky Trust Wishes to Borrow Several Hundred Thousand Dollars.

CHICAGO, May 31.—President Greenbut, of the whisky trust spent all day today is the city in a fruitless effort to negotiate a loan of several bundred thousand dollars. "We must have the money," he said

tonight at his room in the Grand Pa-"We need it in the payment of rebate certificates and running expenses The banks are bard pressed and chary in making any loan whatever and es-pecially chary of us since the complications that circumstances have thrown tisement in this evening's papers asking for bids for \$1,000,000 of the new bond issue, bids to be made by Saturday next. The story wired from Peoria that we would go into the hands of a receiver if we failed to raise money today is not true, Its no use disguising the fact that we are hard pressed and need money, and we shall be able. I believe dispose of the million dollars of

DISCHARGED THE WAITERS.

Unexpected Termination of a Threat ened Kansas City Strike. Kansas Cirv. May 31. This morning

the Waiter's onion, both white and end ored made demantic on all restaurant keepers in the city for an increase of suges and shurter hours, threatening a strike to morrow This afternoon the restaurant men held a meeting and as a result at & e clock tonight every restaurant in the rity with the exception of two discharged their suiters over 30 men to ing let out. The restaurants are being run tonight with such beip as can be a system.

picked up, but the proprietors say that tomorrow they can get all the help they want. The waiters were paralyzed by this unexpected action and do not know which way to turn.

DISASTROUS WRECK.

Four Persons Are Injured and Con-siderable Stock Is Killed.

Storx Crry, Iowa, May 31 .- A die astrous wreck occurred on the Chivago, Milwaukee & St. Paul road, a short dis-Milwaukee & St. Paul road, a short dis-tance north of this city last night. A stock train, running forty miles an bour, left the track on a curve and piled the cars up in a heap. The injured are: W. Farmer, Chatsworth, Illinois; — Harria, Chatsworth; E. W. Jordan, Sioux City; William Sago, Sioux City; — Turner, Chatsworth, will die. A half dozen care were demolished und considerable stock killed.

COLUMBUS' LOSS.

Over \$180,000 Worth of Property Be-

stroyed by Fire Yesterday. Concuses, Ohio, May 31.—Fire broke out in the Case Manufacturing company's lumber yard shortly after 10 o'clock tonight and spread with great rapidity, soon devouring the Neil Wheel works and the Case Manu facturing company's plant. The fire at 1:20 this morning is not under control. The loss to the Neil works is estimated at \$30,000, with \$18,000 insurance. The Case Manufacturing company's loss will reach \$150,000, with probably \$80,000

Resurrecting 300,000 Bodies. Kenoston, Ont., May 31 .- There is ex-

citement here over the resurrection of the remains of people buried fifty years ago in a graveyard in the center of the city. It is the intention of the civic authorities to make a park out of the grounds and the remains of over 300,000 persons will be removed to a burial ground outside of the city limits. It is feared the removal of the bodies will cause the spread of the worst diseases. Hundreds of victims of the deadly typhus of 1847, of the choiers, of typhoid fever, of smallpox and of every other disease are not only buried, but in some cases packed, in the crowded graveyard. The civic authorities have been called

Her Skull Was Crushed.

on to atop the work.

Her Skull Was Crushed.

Hurson, N. Y., May 31.—The body of a young woman, who had probably been murdered, has been found floating in Mud creek, about five miles southeast of this town. It was identified as that of Fannie A. Wykoff, who has been missing from her employer, Jacob Rayner, a farmer, for three weeks. An autopsy showed that the temperal bone was crushed in on the brain. The examination of the lungs showed that the girl was dead before she was placed in the water. There is no doubt that the girl was nurdered, but for what reason and by whom is shrouded in mystery. by whom is shrouded in mystery.

Less Work and More Pay. New York, May 31.—A committee representing the employes of the Jersey Central railroad is now in this city awaiting a reply from President J. Rogers Maxwell to a demand for a new schedule of wages which has been presented to him. This committee represents the conductors, brakemen, train crews and felegraphers forming the Railway Trainmen's association, and is headed by Chief Ramsay of the National Brotherhood of Telegraphera, Nearly all the employes work twelve hours a day, and they want an eleven hour work day, with extra pay for overtime.

Buastt, Ind., May 31. While tearing down and clearing away the old Star hotel at Center Point, this county, the workmen were startled when an old box was unearthed a short distance under ground. The box was opened and a ghastly human skeleton was brought to The citizens are greatly stirred up over the find, as they believe it to be the bones of some one who was murdered many years ago and buried under

the old hotel to conceal the crime. Four Thousand Men Discharged. Mason City, Iowa, May 31. Four thousand men have been thrown out of employment on the Chicago, Milwankee St Paul road in the last few days. Superintendent Cosgrove, of this di-vision, gives no reason for the wholesale discharges of the men under him, saying his orders are mandatory and that higher offic als are not likely to explain their actions to subordinates. These discharges mean a saving of \$7,000 a day

Filed a \$50,000,000 Mortgage.

Civensian, May 31. The filing at Lebanon, Ind., of the \$50,000,000 mortgage of the Big Four property is the re-sult of the big bond tasue made in this city May 10. It is simply a formality. and about seventy five such mortgages have already been filed in counties in Ohio and Indiana through which the Big Four road passes. These mortgages will continue to be filed until one is filed in each of said counties, as requed by

MILWAUNER, Wis., May 31. - The stock and commission firm of Knowles & Co. failed today. The firm did a large business. George Knowles, the senior mon her of the firm, said the cause of the failure was the inability of the firm to collect margine from customers and had been dealing heavily in eastern stocks. The assets and liabilities of the firm could not be stated owing to the tangled

condition of affairs. Horse Killed and Jackey Injured. New Your, May 31, Twenty thous and persons saw the metropolitan handiand persons saw the instropolitan handi-cap outlested for al Morris park today. A sad accident occurred in the hig-handicap. Arture, one of the horses sent to this country from England by Colonel North, the Nitrate King-stembled and fed, breaking his neck and throwing Jockey Edwards, as long lish boy, to the ground. The lad's log

Cracissavi, May 31 Charles E. Washburn of Ithaca, N. Y., was found dead this seeming assessed to a rope at the secritarium at College Hill. Weekborn was 35 years old and unmarried

Found Hanging to a Hope

Oversimity brought on melancholy andla massa for smissio, necessitating his re-In the Bands of a Receiver. Lervin Book, Ark., May 31 - The White county hank at fines was placed in the hands of a receiver this after-

scarpoly any assets to meet them. citiliterated by a Cyclinac. MINITED THEN, May Mo-It is reported that the town of Rosedain Mis-atselept, has been suped off the earth to

GIVEN A HARD BLOW.

Judge Taft Decides Against Detroit's Street Railway Co.

IN ITS CASE WITH THE CITY.

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Dernorr, Mich., May 31 .- Mayor Pingree has won his fight against the Street Railway company. The decision of Judge Taft, United States circuit judge, was read in the federal court this morn-ing. It holds that the ordinance of 1879

The case arose as follows: In 1863 the Detroit common council granted to the Detroit City Railway company a fran-chise, extending over a period of thirty years. In 1879 the ordinance was amended in consideration of certain concessions on the part of the company, to extend for thirty years from that date-giving it continued existence unistence until 1909. This right was first transmitted to the Detroit Street Railway company, the successor of the De-troit City Ballway company, and later to the Citizene Street Enliway com-pany, the present corporation.

Pingree's Crusade

Mayor Pingree began a crusade against the street railway company. He discovered what he believed to be a fatal flaw in the amended ordinance giving the company the right to the streets of Detroit until 1300. It was pointed out to him that the control of to him that the contactl had no legal right to extend the franchise beyond the original life of the company. This was just the pointer for which Mayor Piogree had been seeking and he was not slow in availing himself of it. When he started out to find an attorney to take charge of his case, however, he claimed to be badly hampered by the fact that the rallway company has retained most of the more able inwyers of the city. He at last retained C. A. Kent, with Benton Harchett of Saginaw, as counsel.

The first point was won by the com-pany in securing the removal of the case from the Wayne circuit to the United States court, on the ground of local pre-judice. This move was bitterly fought junces. In more was bitterly longist on behalf of the city, but a later metion to remand was denied by the United States court judges. The case was heard before Judges Taft and Swan-Judge Severens being ill several weeks ago, and the decision which was reached today has since been pending.

Taft's Decision.

Judge Taft's opinion is very long. He devotes many pages to a statement of the case and then says: These four L Did the coutcil, on November 14, 1879, have power to extend the rights of

the company for fourteen years beyond 2. Conceding the invalidity of the or dinance are the parties in part delicto-equally at fault—so that equity will not

intervene to restore the city rights it parted with by an act without its Does the tax litigation on the ordinance of 1879 make the matter resulting adjudicata and is the city estopped from denying the validity of the con-

i. Does the investment of so much capital in good faith of the validity of this ordinance estap the city from amending the charter?

These points are discussed as follows: 1. The city's power to grant is as-serted by defendants to exist under the charter and the statutes. The street railway laws are general statutes. peculiar bardships which one construction will work to a particular company because it may have expended amounts of money on the faith of the correctness of a different construction cannot influence the court. Furthermore, the United States supreme mourt has limited nonnerpal powers to the ex-

on, or derivat one as are made by ne-Commery implication.

The law of Michigan is not different from that of other states in requiring that municipal governments may not exceed the powers authorized by the legislature. There is no reason why the strict rate of construction should be de-

Power of the City.

No power exists in the city, outside of the railway acts, to grant a wested case ment in the streets. The power to comsent which is indirectly conferred by section 25 of the train railway act, nonemarily implies the power to good the Samus besigni ventes a tail." be limited to the necessity which gives rise to its implication. An inevitable limitation thus arosing is that the rangement is to be given. I cannot escape the conclusion, which seems to us clear to a demonstration, that the power of coment to be exercised by the city under the statute is limited in time to the life grant the ensement only arises from the necessity for the exportment of the from chies. The grants of the city and state together are equal to these, that the logislature, competent under the constituand operate a street railroad through

specified streets.
It is suggested that the powers of the city under the charter are to be emuidered. The city has the power to reguare strictly legislative. Under its general powers the council may license a street railway company to run its care on a street, but this would be only in exercise of its legislative power. The some council or a succeeding one might in its discretion, revoke the licome. It must be so, because it is well setablished that in such subordicate legislative budies it is not permitted in rate to abridge the legislative power of its envisement without express sunction

Discounties of Commeits.

One council may lieves a street rollway as a public outremience. Its sunbelief that the steeds will serve the public courselence better eithout street care it follows that while the council may permit a railway to be laid on the streets, it cannot speed that early a new about axist for thirty rooms. this would be an abrillressed of the legislature by the contractual power. It may be said that storet that was investments could not be equit were such a view of the law to be taken. That may be true, but it only points out the